

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

FILED

SEP - 9 2014

FRED SMITH,

Petitioner,

v.

JANET DOWLING, Warden,

Respondent.

PATRICK KEANEY
Clerk, U.S. District Court

By Deputy Clerk

Case No. CIV 14-008-RAW-KEW

OPINION AND ORDER
DENYING CERTIFICATE OF APPEALABILITY

On this date the court dismissed petitioner's petition for a writ of habeas corpus as barred by the statute of limitations. After careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). See also 28 U.S.C. § 2253(c).

ACCORDINGLY, petitioner is denied a certificate of appealability. See Rule 11(a) of the Rules Governing Section 2254 Cases.

IT IS SO ORDERED this 9th day of September 2013.

Ronald A. White
RONALD A. WHITE
UNITED STATES DISTRICT JUDGE